
**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-1

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Snyder

In re:
DURO DYNE NATIONAL CORP., et al.
Debtors.

Case No. 18-27963 MBK
(Jointly Administered)
Chapter 11

**APPLICATION TO PERPETUATE THE TESTIMONY OF ASBESTOS CLAIMANT
JERRY LEE SNYDER**

PLEASE TAKE NOTICE that, in accordance with the Court's order of November 12, 2019 (Dkt. No. 931), any interested party who opposes the relief sought in this application must file and serve a written objection within seven (7) days of the filing of this application. In the absence of a timely filed objection, the relief sought in this application will be granted and the § 362 stay will be deemed to be lifted with respect to such relief, without further notice or order.

This application is made pursuant to the ORDER GRANTING MOTION OF THE OFFICIAL COMMITTEE OF ASBESTOS CLAIMANTS AND FUTURE CLAIMANT'S REPRESENTATIVE FOR RELIEF FROM THE AUTOMATIC STAY FOR THE LIMITED

PURPOSE OF PRESERVING TESTIMONY OF DYING CLAIMANTS, Document No. 931, entered November 12, 2019.

Asbestos Claimant Jerry Lee Snyder, represented by Brayton Purcell LLP, is 85 years of age and suffers from asbestosis and asbestos-related pleural disease. As a result of these conditions, Mr. Snyder experiences shortness of breath that is worsening, wheezing, and coughing. In addition, Mr. Snyder suffers from dizziness, is being treated for chronic systolic heart failure, and has numerous lung nodules that are being monitored.

Mr. Snyder worked for over thirty years as a sheet metal mechanic in and around Sacramento, California, beginning in approximately 1953 and spanning through the 1980s. On numerous occasions and at various locations during this work, Mr. Snyder used Duro Dyne asbestos flexible duct connectors when joining HVAC equipment to flue pipe and duct work, which caused him to be exposed to asbestos.

In order to protect the rights of Mr. Snyder and/or his heirs, it is critical that Mr. Snyder's sworn testimony regarding his use of Duro Dyne flexible duct connectors be preserved so that he, or his heirs, can pursue their available remedies against Duro Dyne once the pending chapter 11 bankruptcy case has concluded. As a result of Mr. Snyder's advanced age, as well as his health conditions and symptoms caused by such conditions, he faces significant risk of dying or becoming incapacitated and unable to testify before the case is completed. As such, and in the interest of justice, Brayton Purcell seeks to perpetuate Mr. Snyder's testimony as allowed by the Court's November 12 Order.

[Signature of counsel appears on following page.]

Dated: December 17, 2019

Respectfully Submitted,



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